

Covered Business Method Review CBM2012-00001

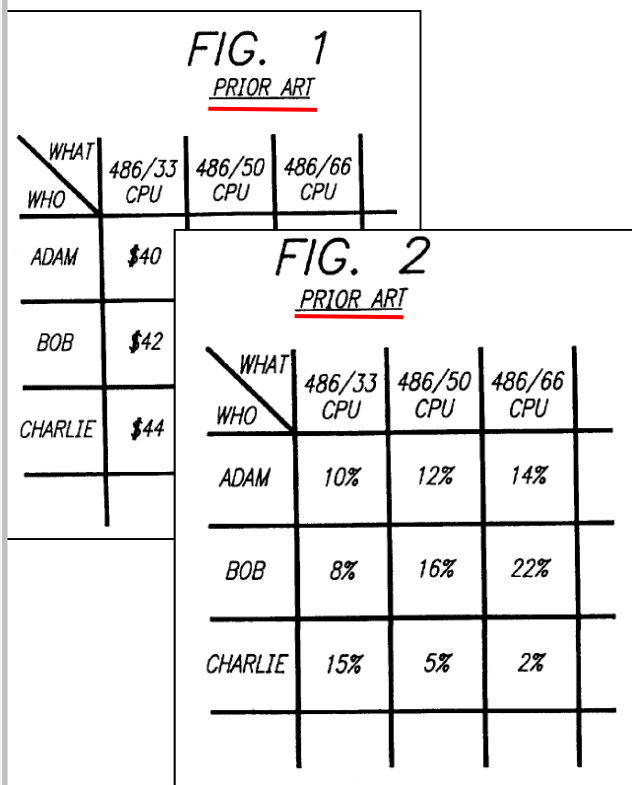
US Patent No. 6,553,350 *Method and Apparatus for Pricing Products in Multi-Level Product and Organizational Groups*

Oral Hearing: April 17, 2013, 2 p.m.

SAP EXHIBIT 1036
SAP v. VERSATA
CASE CBM2012-00001

Patent owner did not invent:

Pricing based on customer and product data
SX1001, Figs. 1-2.



Computerized pricing systems
SX1001, 2:56-63.

A pricing application called R3 made by SAP has the prior art disadvantages explained above. For example, R3 requires a number of price adjustment tables and a number of database queries to retrieve applicable price adjustments. Likewise, an order entry application made by Oracle has a similar shortcoming in that a number of database queries are required to retrieve various price adjustments from a large number of price adjustment tables.

As Versata has explained in its brief to the Federal Circuit, the use of hierarchal data structures to organize pricing information was already used by large companies and Versata's invention represented these "ubiquitous customer and product hierarchies within the pricing tables themselves." SX 1011, 5.

Hierarchical organization of customers and products
ID at 30.

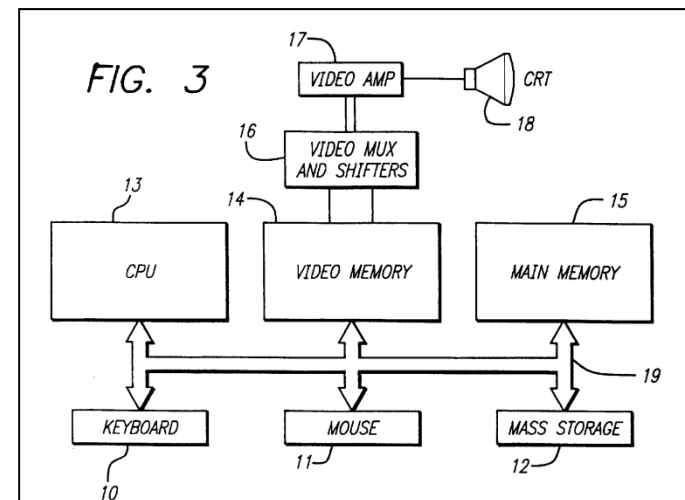
Patent describes no advance in computing

The present invention may be implemented on any conventional or general purpose computer system. An example of one embodiment of a computer system for implementing this invention is illustrated in FIG. 3.

SX1001, 5:8-11.

(it is noted that although the invention is discussed in terms of a “database,” the invention can be implemented using any data source that may be different from a conventional database).

SX1001, 10:58-61.



The computer system described above is for purposes of example only. The present invention may be implemented in any type of computer system or programming or processing environment.

SX1001, 5:55-58.

Patent owner explains: no data structures required

2012-1029, -1049
IN THE
UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

VERSATA SOFTWARE, INC.
VERSATA DEVELOPMENT
Trilogy Development Gro
INDUSTRY SOLUTIONS, I
Indus

SAP AMERIC

determining the product price” A457 (emphases added). Again, the claim does not require any extant data structures—it simply requires computer instructions to implement the relevant arranging, retrieving, and determining operations. A457.

Appeals from the United States District Court for the Eastern District of Texas in case no. 07-CV-0153, Magistrate Judge Charles Everingham.

SX1011 at 24.
BRIEF OF PLAINTIFFS-CROSS APPELLANTS VERSATA SOFTWARE, INC., VERSATA DEVELOPMENT GROUP, INC. AND VERSATA

COMPUTER IN

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May 29, 2012

SAP suggests that “Versata’s patents are directed to a very *specific* way to determine [a] price,” SAP.Br.3,7, but in fact they cover the “capability to execute a pricing procedure using hierarchical accesses to hierarchical arrangements of customer ... and product ... data.” A5; A456-57; A540; A8430.

SAP Exhibit 1011

SX1011 at 11.
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Claims 17, 26-29 do not recite:

- **Database**
 - **Database tables**
 - **Database queries**
 - **Run time**
 - **Execution flow**
 - **Computer screens**
 - **A number of database tables**
 - **A number of database queries**
- E.g.*, POR at 21, 27-31.

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